CASE PROCESSING STANDARDS ANALYSIS CIVIL TRAFFIC

National Center for State Courts Model Time Standards for Criminal Traffic and Local Ordinance:

75% within 30 days 90% within 60 days 98% within 90 days

Measurement: Filing of complaint through disposition (e.g., dismissal, judgment).

Arizona Civil Traffic

The following case processing time standards have been adopted for civil traffic cases in the justice and municipal courts:

80% within 60 days 98% within 90 days

✓ Civil local ordinance cases are excluded.

✓ Photo-radar and photo enforcement tickets are excluded.

✓ Parking tickets are excluded.

Measurement: Filing of Arizona Traffic Ticket and Complaint (ATTC) or by long-form

complaint through disposition (e.g., dismissal, judgment).

Excluded Time: The following may result in a stay of proceedings, and the time elapsed will be

excluded from the measurement: pre-adjudication diversion, defensive driving school, specialty courts/programs, pre-adjudication special action/appeals, and

stays granted pursuant to the Servicemembers Civil Relief Act.

Arizona Rules and Statutes	Timelines under Statute and Rule
Commencement of Action:	
Arizona Revised Statutes	If a case is commenced by issuance, it shall be issued within 60 days of the
(ARS)§ 28-1592(B)(1)	alleged violation.
ARS § 28-1592(B)(2)	If a case is commenced by filing, it shall be filed within 60 days of the alleged violation and shall be served within 90 days from the filing date.
ARS § 28-1592(B)(3) and (4)	A civil traffic violation case shall be commenced within 180 days of the alleged violation if the alleged violation is under investigation in conjunction with a traffic accident and within 1 year if in conjunction with a traffic accident resulting in death.
Traffic Ticket/Complaint	(Measurement starts when traffic ticket/complaint
Filed:	filed with court)
Entry of Plea:	
Rule 22, Ariz.R.P. Civil Traf. ¹	Failure to Appear: If the defendant fails to appear as required, the
	allegations are deemed admitted, judgment must be entered for the state,
	sanctions must be imposed, and the judgment must be reported to the

¹ Arizona Rules of Procedure in Civil Traffic and Civil Boating Violation Cases

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Arizona Rules and Statutes	Timelines under Statute and Rule
	Department of Transportation, Motor Vehicle Division. If it appears that the defendant is in active military service, no default judgment may be entered. (Measurement Stops Here)
	OR
Rule 10(a), Ariz.R.P. Civil Traf.	Admit Responsibility: The defendant may admit responsibility by appearing in person, or by submitting a form or a statement signed by the defendant admitting the allegations of the complaint. (Measurement Stops Here)
	OR
Rule 10(b), Ariz.R.P. Civil Traf.	<u>Deny Responsibility</u> : The defendant may deny responsibility by appearing in person or by notifying the court in writing. Upon receipt of said notice, the court shall set the matter for hearing and notify the defendant, citing officer, and any counsel of the date, time, and place for the hearing.
Notice and Discovery:	
Rule 11, Ariz.R.P. Civil Traf.	Notice of Right to Counsel and Waiver: If a defendant denies the allegations contained in the complaint and requests a hearing, the court shall promptly provide the defendant written notice of a hearing date. The notice of hearing date shall also state that the right to be represented by counsel at the hearing is waived unless the court and the State are notified in writing at least 10 calendar days prior to the hearing date.
Rule 12, Ariz.R.P. Civil Traf.	Representation by the State: The State need not be represented by counsel at the hearing. Absent extraordinary circumstances, the State's right to be represented by counsel at the hearing is waived unless, at least 10 calendar days prior to the hearing date or within 10 calendar days of receipt of notice that the defendant will be represented by counsel, whichever is later, the State notifies the court and the defendant of its election to be represented by counsel.
Rule 13, Ariz.R.P. Civil Traf.	Discovery: No pre-hearing discovery shall be permitted absent extraordinary circumstances. Immediately prior to the hearing, both parties shall produce for inspection any prepared exhibits and written or recorded statements of any witness.
Rule 15, Ariz.R.P. Civil Traf	Continuances: The court may continue the hearing for a period not exceeding 60 days, if it appears that the interests of justice so require.
Hearing:	
Rule 21, Ariz.R.P. Civil Traf	Default by State at Hearing: If no witness for the State, excluding the defendant, appears at the time set for hearing, the court shall dismiss the complaint and return any deposit, unless the court, for good cause shown, continues the hearing to another date. (Measurement Stops Here Unless Continued)

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Arizona Rules and Statutes	Timelines under Statute and Rule
Rule 22, Ariz.R.P. Civil Traf	<u>Default by Defendant at Hearing</u> : If the defendant fails to appear as required, the allegations of the complaint shall be deemed admitted, and the court shall enter a judgment for the State, impose a civil sanction, and report such judgment to the Department of Transportation Motor Vehicle Division.
Rule 24, Ariz.R.P. Civil Traf	Finding of Responsible or Not Responsible: If the defendant is found responsible, the court shall enter judgment for the State and impose a civil sanction. If the defendant is found not responsible, the court shall enter judgment for the defendant and return any deposit. (Measurement Stops Here)

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